

the agency shall take the action requested under subsection (b) of this section. The agency may not make any information obtained pursuant to the action under subsection (b) of this section available to the owner but shall perform determinations for the owner regarding screening, lease enforcement, and eviction based on criteria supplied by the owner.

(d) Opportunity to dispute

Before an adverse action is taken with respect to an applicant for federally assisted housing on the basis that an individual is subject to a lifetime registration requirement under a State sex offender registration program, the public housing agency obtaining the record shall provide the tenant or applicant with a copy of the registration information and an opportunity to dispute the accuracy and relevance of that information.

(e) Fee

A public housing agency may be charged a reasonable fee for taking actions under subsection (b) of this section. In the case of a public housing agency taking actions on behalf of another owner of federally assisted housing pursuant to subsection (c) of this section, the agency may pass such fee on to the owner making the request and may charge an additional reasonable fee for making the request on behalf of the owner.

(f) Records management

Each public housing agency shall establish and implement a system of records management that ensures that any criminal record or information regarding a lifetime registration requirement under a State sex offender registration program that is obtained under this section by the public housing agency is—

- (1) maintained confidentially;
- (2) not misused or improperly disseminated; and
- (3) destroyed, once the purpose for which the record was requested has been accomplished.

(Pub. L. 105-276, title V, §578, Oct. 21, 1998, 112 Stat. 2641.)

CODIFICATION

Section was enacted as part of the Quality Housing and Work Responsibility Act of 1998, and not as part of subtitles C to F of title VI of Pub. L. 102-550 which comprise this chapter.

§ 13664. Definitions

(a) ¹ Definitions

For purposes of this subchapter, the following definitions shall apply:

(1) Drug-related criminal activity

The term “drug-related criminal activity” has the meaning given the term in section 1437a(b) of this title.

(2) Federally assisted housing

The term “federally assisted housing” means a dwelling unit—

- (A) in public housing (as such term is defined in section 1437a(b) of this title);

- (B) assisted with tenant-based assistance under section 1437f of this title;

- (C) in housing that is provided project-based assistance under section 1437f of this title, including new construction and substantial rehabilitation projects;

- (D) in housing that is assisted under section 1701q of title 12 (as amended by section 801 of the Cranston-Gonzalez National Affordable Housing Act);

- (E) in housing that is assisted under section 1701q of title 12, as such section existed before the enactment of the Cranston-Gonzalez National Affordable Housing Act [November 28, 1990];

- (F) in housing that is assisted under section 8013 of this title;

- (G) in housing financed by a loan or mortgage insured under section 1715l(d)(3) of title 12 that bears interest at a rate determined under the proviso of section 1715l(d)(5) of title 12;

- (H) in housing insured, assisted, or held by the Secretary or a State or State agency under section 1715z-1 of title 12; or

- (I) in housing assisted under section 1484 or 1485 of this title.

(3) Owner

The term “owner” means, with respect to federally assisted housing, the entity or private person (including a cooperative or public housing agency) that has the legal right to lease or sublease dwelling units in such housing.

(Pub. L. 105-276, title V, §579, Oct. 21, 1998, 112 Stat. 2642.)

REFERENCES IN TEXT

Section 801 of the Cranston-Gonzalez National Affordable Housing Act, referred to in subsec. (a)(2)(D), is section 801 of Pub. L. 101-625.

CODIFICATION

Section was enacted as part of the Quality Housing and Work Responsibility Act of 1998, and not as part of subtitles C to F of title VI of Pub. L. 102-550 which comprise this chapter.

CHAPTER 136—VIOLENT CRIME CONTROL AND LAW ENFORCEMENT

SUBCHAPTER I—PRISONS

PART A—VIOLENT OFFENDER INCARCERATION AND TRUTH-IN-SENTENCING INCENTIVE GRANTS

Sec.	
13701.	Definitions.
13702.	Authorization of grants.
13703.	Violent offender incarceration grants.
13704.	Truth-in-sentencing incentive grants.
13705.	Special rules.
13706.	Formula for grants.
13707.	Accountability.
13708.	Authorization of appropriations.
13709.	Payments for incarceration on tribal lands.
13710.	Payments to eligible States for incarceration of criminal aliens.
13711.	Support of Federal prisoners in non-Federal institutions.
13712.	Report by Attorney General.
13713.	Aimee’s Law.
	PART B—MISCELLANEOUS PROVISIONS
13721.	Task force on prison construction standardization and techniques.

¹ So in original. No subsec. (b) has been enacted.